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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,079	03/18/2004	Kia Silverbrook	FPD007US	5189
24011 7590 12/14/2009 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA				
EXAMINER				
CRUZ, IRIANA				
ART UNIT		PAPER NUMBER		
2625				
NOTIFICATION DATE		DELIVERY MODE		
12/14/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pair@silverbrookresearch.com  
patentdept@silverbrookresearch.com  
uscorro@silverbrookresearch.com

### Office Action Summary

**Application No.**

10/803,079

**Applicant(s)**

SILVERBROOK ET AL.

**Examiner**

IRIANA CRUZ

**Art Unit**

2625

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-14, 17-21, 23 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-14, 17-21, 23 and 25-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB06)  
Paper No(s)/Mail Date 06/11/2009
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 08/30/2009 have been fully considered but they are not persuasive. Applicant argues that "Independent claims 10 and 17 define that, in response to receiving a print request from the printer, a print control program running on the computer system simulates a keyboard sequence in an application program running on the computer system, thereby causing a document to be sent to the printer for printing. The Examiner relies on paragraph [0020] for teaching the same. However, paragraph [0020] teaches input of a "*combination of a specific key*" received from input device 22. Input device 22 is part of the computer 10. Hiroshi fails to teach a print control program which simulates a keyboard sequence in the application program". Examiner respectfully disagrees. Examiner refers not only to paragraph 20 but also to paragraphs 20-21, 25-29 and 37-41 of Hiroshi. Hiroshi explains in paragraphs 20-21 how an input device (like a keyboard) is used for the function to send draw data for printing and how this function can be now called also from a print driver 120 (print driver 120 in the computer comprises a printing data production part 121, and a print controller part 122). In paragraphs 25-29, Hiroshi shows how a printer printing demand menu can be set to accepting a print request from a printer "print" button 54 by just pressing this button in the printer the same function in the print driver in the computer is performed as that of a keyboard print sequence and the printing of the data in the application program is done either having the settings on "printer printing demand/active window" or "printer printing demand document". Therefor Hiroshi shows the computer program being

configured (print demand set menu), to in response to receiving a print request (pressing the print button 54 on the printer) the print control program (on the print driver 120) simulates a keyboard sequence in the application program (calling the same function that the keyboard sequence performs by the press of button 54), thereby causing the document to be sent to the printer for printing (printer printing demand document) and because of this, this action is made FINAL.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 10-11, 14, 17-21, 23 and 27** are rejected under 35 U.S.C. 102(e) as being anticipated by Hiroshi (JP Publication Number 2002-312149).

Regarding **Claim 10**, Hiroshi'149 shows a printer configured to receive documents to be printed from a computer system, the printer including an interface (i.e., **printer receives documents from a computer and has an interface. See Paragraphs 2 and 24**) and being configured to: receive, via the interface, input from a user indicative of a print command (i.e., **user send a print request through the interface. See Paragraphs 2, 20 and 24**); send, from the printer to the computer

system, a print request (i.e., **the user presses a print button on the printer and the printer sends the print request to the computer. See Paragraphs 5, 25-31 and 37-41**); receive, from the computer system and in response to the print request, a document to be printed (i.e., **the data from the active window will be sent to the printer to be printed out. See Paragraphs 5, 25-31 and 37-41**); and print the document (i.e., **the data from the active window will be sent to the printer to be printed out. See Paragraphs 5, 25-31 and 37-41**); and the computer system, the computer system running a print control program and at least one application program capable of displaying or generating the document to the user, the computer system being configured and programmed such that, in response to receiving the print request, the print control program simulates a keyboard sequence in the application program, thereby causing the document to be sent to the printer for printing (i.e., **the printer can be set to as soon as the print button of the printer is pressed it prints the active window or document in the active window; a user interface displays/expose the printer printing demand screen on the display, when the print button of the printer is pushed for executing a printing function of an application on the computer, the print function of an application is exposed when being executed on the computer system; the predetermined operation like the input of a combination of a specific key executes the printing depending the preset chosen. See Paragraphs 20-21, 25-29 and 37-41**).

Regarding **Claim 11**, Hiroshi<sup>149</sup> shows a printing system wherein the computer system displays a graphical user interface (GUI) having one or more windows, each of

which is associated with a respective application program, and wherein only one of the windows is a focus window at any given time; and the print control program is configured to determine which application program is associated with the focus window **(i.e., the printer can be set to as soon as the print button of the printer is pressed it prints the active window or document in the active window. See Paragraphs 25-29 and 37-41).**

Regarding **Claim 14**, Hiroshi<sup>149</sup> shows a printer system wherein multiple documents run simultaneously on at least one application program, each of the documents having an associated window, the print control program being configured to determine which of the multiple documents of the application program, or which application program, is associated with the focus window **(i.e., the printer can be set to when the printing button is pressed it prints what is on the active window as an input where many presets can be done where the active window is described. See Paragraphs 25-41).**

With regards to method **Claim 17**, the limitation of the claim 17 are corrected by limitation of claim 10 above. The steps of claim 17 read into the function step of claim 10.

Regarding **Claim 18**, Hiroshi<sup>149</sup> shows a printer, wherein the document received from the computer system is a current active document being displayed by the computer system **(i.e., one of the options the printer can be set too is that every time a user presses the print button on the printer the printer automatically prints the demand/active window. See Paragraphs 25).**

Regarding **Claim 19**, Hiroshi'149 shows a method wherein the interface includes a "print" button, and step of receiving input from the user consists of determining that the "print" button has been pressed (**i.e., print button for printing from printer. See Paragraphs 32-39**).

Regarding **Claim 20**, Hiroshi'149 shows a method wherein the step of receiving input from the user consists of determining that the "print" button has been pressed a single time (**i.e., the printer can be set to when the printing button is pressed it prints what is on the active window as an input. See Paragraphs 25-41**).

Regarding **Claim 21**, Hiroshi'149 shows a method wherein the computer system display a graphical user interface (GUI) having one or more windows, of which one is a focus window at any given time, the current active document being that window that is the focus window at the time the print request is received (**i.e., the printer can be set to when the printing button is pressed it prints what is on the active window as an input. See Paragraphs 25-41**).

With regards to method **Claim 23**, the limitation of the claim 23 are corrected by limitation of claim 11 above. The steps of claim 23 read into the function step of claim 11.

With regards to method **Claim 27**, the limitation of the claim 27 are corrected by limitation of claim 14 above. The steps of claim 27 read into the function step of claim 14.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 12-13 and 25-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi (JP Publication Number 2002-312149) in view of Vagui (US Patent Number 6,474,882 B1) and further in view of Sese et al. (US Publication Number 2004/0085568 A1).

Regarding **Claim 12**, the combination of Hiroshi'149 and Vagui'882 fails to show a printer system wherein a record of each of the at least one application program running on the computer system is stored in a table, the print control program being configured to perform the determination of which application program programs is associated with the focus window by consulting the table.

Sese'568 teaches a printer system wherein a record of each of the at least one application program running on the computer system is stored in a table, the print control program being configured to perform the determination of which application program programs is associated with the focus window by consulting the table (**i.e., an order list is used to know the order of importance of a document/program/GUI. See Paragraphs 11-12 and 32).**

Having the system of Hiroshi'149 and Vagui'882 and then given the well-established teaching of the Sese'568, it would have been obvious to one having



ordinary skill in the art at the time of the invention was made to modify the system as suggested by the combination of Hiroshi'149 and Vagu'882 with the teachings of Sese'568 by adding that at least one application program running on the computer system is stored in a table, the print control program being configured to perform the determination of which application program programs is associated with the focus window by consulting the table, in order to improve the system to be a more efficient and accurate in choosing the active window without printing an error.

Regarding **Claim 13**, the combination of Hiroshi'149, Vagu'882 and Sese'568 shows a printer system wherein the table is a Running Object Table (i.e., an order list is used to know the order of importance of a document/program/GUI. See **Paragraphs 11-12 and 32 in reference Sese'568**).

With regards to method **Claim 25**, the limitation of the claim 25 are corrected by limitation of claim 12 above. The steps of claim 25 read into the function step of claim 12.

With regards to method **Claim 26**, the limitation of the claim 26 are corrected by limitation of claim 13 above. The steps of claim 26 read into the function step of claim 13.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IRIANA CRUZ whose telephone number is (571)270-3246. The examiner can normally be reached on Monday-Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Y. Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Supervisory Patent Examiner, Art Unit 2625

Examiner  
Art Unit 2625

December 3, 2009

/I. C./

Examiner, Art Unit 2625